

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

COYNE INTERNATIONAL ENTERPRISES
CORP., *d/b/a Coyne Textile Services*,

Plaintiff,

Civil Action No. 5:10-CV-498

vs.

HUHTAMAKI, INC.,

Defendant.

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

LYNN LAW OFFICES
M&T Bank Building
101 South Salina Street
Suite 802
Syracuse, New York 13202

PATRICIA LYNN-FORD, ESQ.

FOR DEFENDANT:

HURWITZ, FINE LAW FIRM
1300 Liberty Building
Buffalo, New York 14202

ANDREA SCHILLACI, ESQ.

NEAL P. MCCURN
SENIOR U.S. DISTRICT JUDGE

JUDGMENT DISMISSING ACTION
BASED UPON SETTLEMENT

The parties have entered into an agreement in settlement of all

claims in this action, and that they reasonably anticipate finalizing their agreement shortly, following which this action will be discontinued, with prejudice, by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Based upon this development, I find that it is not necessary for this action to remain on the court's active docket.

It is therefore hereby

ORDERED, as follows:

- 1) This action is dismissed, with prejudice, except as set forth below.
- 2) The court will retain complete jurisdiction to vacate this order and to reopen the action within three months from the date of this order upon cause shown that the settlement has not been completed and further litigation is necessary.
- 3) The Clerk shall forthwith serve copies of this judgment upon the parties and/or their attorneys appearing in this action by electronic means.

Dated: March 4, 2011
Syracuse, New York

Neal P. McCunn

Neal P. McCunn
Senior U.S. District Judge